

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

NUCLEAR DEVELOPMENT LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 5:18-CV-01983-LCB
)	
TENNESSEE VALLEY)	UNOPPOSED
AUTHORITY,)	
)	
Defendant.)	

**DEFENDANT’S MOTION TO ALTER OR AMEND
AMENDED FINAL JUDGMENT**

Defendant Tennessee Valley Authority (“TVA”) moves the Court pursuant to Fed. R. Civ. P. 59(e) to alter or amend its Amended Final Judgment (Doc. 269) to clarify that the award of pre-judgment interest stopped accruing on August 26, 2021 and the award of post-judgment interest started accruing on August 27, 2021—*i.e.*, the date and day after of the Final Judgment (Doc. 247).

In support of this motion, TVA offers the following grounds:

1. In its Final Judgment, the Court entered judgment “in favor of Nuclear Development in the amount of \$22,950,000, plus prejudgment interest at a rate of 7.5% per annum, running from December 30, 2018 to the date of th[e] final judgment.” Doc. 247.

2. TVA moved to alter or amend the Final Judgment to reflect the pre- and post-judgment interest rates agreed to by the parties. (Doc. 254).

3. On July 18, 2022, the Court entered an Amended Final Judgment (Doc. 269). In the Amended Final Judgment, the Court awarded pre- and post-judgment interest at “a rate of 6% per annum running from December 30, 2018, to the date of this final judgment.” *Id.*

4. Under federal law, post-judgment interest on a money judgment is “calculated from the date of the entry of the judgment.” 28 U.S.C. § 1961(a). The original Judgment was entered on August 26, 2021.

5. Thus, TVA requests that the Court amend its Amended Final Judgment to reflect that pre-judgment interest at the rate of 6% per annum began on December 30, 2018 and stopped accruing on August 26, 2021, and post-judgment interest at the rate of 6% per annum started accruing on August 27, 2021.

WHEREFORE, PREMISES CONSIDERED, TVA prays that this Court will alter or amend its Amended Final Judgment to (a) change the date on which pre-judgment interest stopped accruing to August 26, 2021; and (b) change the date on which post-judgment interest started accruing to August 27, 2021.

Respectfully submitted this 12th day of August, 2022.

/s/ Matthew H. Lembke
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CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2022, a true and correct copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record:

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